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January 9, 2024

**MEMO ENDORSED**

VIA ECF

The Honorable Katherine Polk Failla  
United States District Court for the Southern District of New York  
40 Foley Square, Room 2103  
New York, NY 10007

Re: **A&E Television Networks, LLC v. Big Fish Entertainment LLC et al., 22-cv-07411**  
**(S.D.N.Y.)**

Dear Judge Failla:

We represent Defendants Big Fish Entertainment LLC, Half Moon Pictures LLC, and REELZChannel, LLC (“Defendants”) in the above-captioned action. We write pursuant to Rule 9(B)(i) of this Court’s Individual Rules of Practice in Civil Cases to respectfully request permission to file Defendants’ response to Plaintiff’s January 4, 2023 letter with limited redactions. The redacted information contains highly confidential commercial information, the disclosure of which could cause competitive harm to Defendant REELZChannel, LLC as well as to third parties. *See, e.g., Standard Inv. Chartered, Inc. v. Fin. Indus. Regulatory Auth., Ind.*, 347 F. App’x 615, 617 (2d Cir. 2009) (organization’s “interest in protecting confidential business information outweighs the qualified First Amendment presumption of public access”); *Gelb v. Am. Tel. & Tel. Co.*, 813 F. Supp. 1022, 1035 (S.D.N.Y. 1993) (granting motion to seal documents based upon the “assertion that its competitors who do not now have this information could use it to do [the party] competitive injury”).

We thank the Court for its consideration of this request.

Respectfully,



Orin Snyder

cc: All counsel of record (via ECF)

Application GRANTED. The Clerk of Court is directed to maintain docket entry 70 under seal, viewable only to the Court and the parties.

The Clerk of Court is further directed to terminate the pending motion at docket entry 69.

Dated: January 10, 2024  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE